

and praise of countless people who have received his comfort, advice and support. We congratulate him on a wonderfully successful career and wish him all the best as he enters retirement.

H.R. 1701, THE CONSUMER RENTAL PURCHASE AGREEMENT ACT

HON. JAMES H. MALONEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2002

Mr. MALONEY of Connecticut. Mr. Speaker, I urge my colleagues to support the Consumer Rental Purchase Agreement Act, H.R. 1701. The bill before us is the product of the many months of hard work by several Members. I want to especially thank Congressman WALTER JONES and my Financial Service Committee colleagues on both sides of the aisle for their constructive input in producing a bipartisan, consumer friendly piece of legislation.

Let me make it clear, this bill establishes a federal floor for Rent-to-Own disclosures and consumer rights, and preserves states' options to regulate costs and other disclosures. That is, States can still apply further economic and substantive safeguards, such as regulating maximum rental costs, allowable fees, and fair collection practices should they decide to do so.

In April of 2000, the Federal Trade Commission (FTC) issued a staff report that addresses many of the issues surrounding the rent-to-own industry. Generally speaking, the FTC report concluded that clear and comprehensive disclosures of the rental-purchase transaction would benefit both the industry and consumers. In that report, the FTC made some recommendations regarding the types of disclosure that would benefit consumers. The "Consumer Rental Purchase Agreement Act" is an effort to begin to implement those recommendations.

I think that everyone will agree that giving consumers the information they need to make informed decisions is both good public policy and ultimately good economic policy as well. The consumer safeguards provided in this legislation include the prohibition of certain fees, improved consumer disclosures, expanded civil liability, prohibition of abusive practices, and the preservation of existing rights.

H.R. 1701 requires several clear and conspicuous disclosures that assure merchants will not present information in such a way that conceals or misleads consumers as to the true cost of the transaction. The proposal includes a plain language requirement for use in contracts. Specifically, the bill requires that all merchandise bear a label or tag that discloses specific cost and merchandise information, such as the price to purchase the merchandise for cash, the rental payment amount, the total number of payments to acquire ownership, and the total cost of ownership. Additionally, H.R. 1701 requires that price tags and label disclosures (as well as contracts) include the total cost for ownership, which consists of the sum of all rental payments and any mandatory fees or charges, per the FTC report recommendation. The bill also requires that price tags and labels (and contracts) identify whether merchandise is new or used.

The Consumer Rental Purchase Agreement Act also prohibits the imposition of any special

fees to acquire ownership, including a prohibition on balloon payments. The bill prohibits merchants from charging more than one late fee for a delinquent rental payment, or charge for an unpaid late fee. This will ensure that consumers are not charged with unfair or over-burdensome penalties and fees for simply missing a payment.

Importantly, H.R. 1701 clarifies civil liabilities protections for consumers in Rent to Own transactions. H.R. 1701 expands civil liability and penalties to allow actions based on a "pattern or practice" of advertising violations. The bill explicitly provides for civil action and expanded penalties for enforcement by the FTC and State attorneys general, based on a pattern or practice of violations by a merchant.

Additionally, the bill ties criminal and civil liability and penalties for violations to the requirements of the Truth in Lending Act and Consumer Leasing Act.

Mr. Speaker, this bill establishes an important federal floor for consumer protection, and create a framework for additional consumer protection in the future. In sum, this legislation will give consumers the information they need to make informed decisions. It will also create a uniform regulatory baseline that will help with the growth of the industry and its contributions to our economy. I urge my colleagues to support this far-sighted legislation.

PERSONAL EXPLANATION

HON. FRANK MASCARA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2002

Mr. MASCARA. Mr. Speaker, on September 17, 2002, I was absent for personal reasons and missed rollcall votes numbered 388 through 390. For the record, had I been present I would have voted "yea" on all of these votes.

HONORING KENNETH LARGESS

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2002

Mr. McGOVERN. Mr. Speaker, I rise today to recognize Kenneth Largess, this year's Grand Marshal for the Spirit of Shrewsbury Festival. This gathering for all townspeople will also celebrate the town's 275th anniversary.

Ken Largess grew up in Shrewsbury and attended Shrewsbury High School, where he graduated in 1968 and then received a teaching degree from Worcester State College. Soon after he began a teaching career in Shrewsbury and is now an Assistant Principal at Shrewsbury High School. Ken has been deeply involved in the planning and construction of the new high school building that will be dedicated this Sunday. He is an integral part of the school community and is one of the reasons behind its tremendous success. Dedicated to his students, he is one of those educators to whom we can point to and say, "He has made a difference in the lives of those he serves." The town of Shrewsbury is indeed fortunate.

Outside of work, he and his wife, Patti, are the proud parents of three grown children,

Kenny, Tara and Erin. Ken and Patti have spent some of their happiest hours on the soccer field, baseball field and basketball court cheering on their children and teammates.

Mr. Speaker, I ask our colleagues to join me in offering our congratulations and best wishes to Ken Largess and to the people in the Town of Shrewsbury.

INTRODUCING A CONCURRENT RESOLUTION THAT THE UNITED STATES SHOULD WORK THROUGH THE UNITED NATIONS REGARDING IRAQ

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 2002

Mr. STARK. Mr. Speaker, today, I rise in support of America leading a strong and sustained diplomatic effort with our partners in the international community to confront Saddam Hussein.

I am proud to join my colleague and friend Barbara Lee—among many others—in introducing a resolution expressing the sense of Congress that the U.S. work through the United Nations to assure Iraq's compliance with UN resolutions regarding weapons of mass destruction rather than pursue a unilateral military attack.

Last week, President Bush finally listened to the wise counsel of the American people and engaged the United Nations on Iraq's failure to comply with its resolutions. While I applaud the President's effort to reach out to our partners in the United Nations, he seriously undermined the cause of diplomacy by threatening unilateral action if the UN did not meet America's demands for military action. I urge the President to heed his own words and allow the United Nations to live up to its responsibility to hold Iraq accountable without forcing hostile military action that threatens America and the world.

I strongly question the President's assertion that immediate military action is necessary. The evidence of an imminent threat from Iraq is not there. The Administration's so-called secret briefings have provided Congress with paltry information they could have as easily read in the New York Times. Our intelligence agencies will have to provide something more compelling than generalized claims that Iraq could have some nuclear capability in six months to seven years. They don't even know if Iraq even has the capability of striking the United States with any weapon at this time.

Without concrete evidence, I do not want our President to run off willy-nilly and risk the lives of America's young men and women. Especially, when the President has not shown the resolve to seek the evidence to justify such action or to pursue a peaceful solution to the situation.

The President has also ignored the track record of past weapons inspectors in Iraq. Between 1991 and 1998, they were successful in destroying large stockpiles of chemical and biological weapons. He has dismissed Iraq's offer to allow weapons inspectors back into Iraq unconditionally. Even worse are the statements from the Administration that the United